

Amend 2 Cal. Code Regs. section 18946.2 as follows:

§18946.2. Reporting and Valuation of Gifts: Testimonial Dinners and ~~Events~~, Events, Invitation-Only Events, and Ceremonial Functions.

(a) Testimonial Dinners. When an official or candidate is honored at a testimonial dinner or similar event, at which campaign fundraising for the official or candidate does not occur, the value received is the official's or candidate's pro rata share of the cost of the event, plus the value of any specific ~~tangible gift~~ item that is presented to the official or candidate at the event.

(b) Invitation-Only Events. Except as provided in subdivisions (d) through (f) of this regulation, when an official or candidate attends an invitation-only event such as a banquet, party, gala, celebration, or other similar function, other than a nonprofit or political fundraiser as set forth in 2 Cal. Code Regs. section 18946.4, the value received is the official's or candidate's pro rata share of the cost of the event, plus the value of any specific item that is presented to the official or candidate at the event.

(c) "Pro rata share of the cost of the event." The term "pro rata share of the cost of the event" means the cost of all food and beverages, rent of the facilities, decorations, entertainment, and all other costs associated with the event, divided by the number of acceptances or the number of attendees.

(d) Official or Ceremonial Functions. When an official performs an official or ceremonial function at an invitation-only event, as set forth in subdivision (b) of this regulation, in which the official is invited to participate by the event's sponsor or organizer by virtue of the official's position, and the official performs the act as an official function of the position held by that official, the value received is the cost of any food or beverages provided to the official plus

1 the value of any specific item that is presented to the official at the event.

2 (e) Drop-In Visit. Except as provided in subdivision (f) of this regulation, if an official
3 attends an event referred to in subdivision (a) or (b) of this regulation and does not stay for any
4 meal or entertainment if otherwise provided at the event, and receives only minimal appetizers
5 and drinks, the value of the gift received is the cost of the food and beverage consumed by the
6 official and guests accompanying the official, plus the value of any specific item that is
7 presented to the official at the event. For purposes of this subdivision, “entertainment” means a
8 feature show or performance intended for an audience, and does not include music provided for
9 background ambiance.

10 (f) Lobbyists, Lobbying Firms, and Lobbyist Employers. Where an official attends an
11 event referred to in subdivision (a) or (b) of this regulation, sponsored by any person required to
12 file a periodic statement under Article 1 of Chapter 6 of this title, the value of the gift is
13 determined pursuant to the provisions of 2 Cal Code Regs. section 18640.

14
15 NOTE: Authority cited: Section 83112, Government Code.

16 Reference: Sections 82028, 87207, 87302 and 89501 through 89506, Government Code.

17
18 I:\Agenda Regs 2005\March\18946.2amend3-01-05.doc